

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33893 of 2025

Arising Out of PS. Case No.-291 Year-2023 Thana- DIGHA District- Patna

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Bipin Kumar S/O Akhilesh Kumar Singh R/O S. K. Puram, Arya Samaj Lane-15, Shashi Veena Complex Apartment, Flat no. 102, P.S.- Rupaspur, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishun Kumar S/O Late Dahari Ram R/O Opposite ITI Water Pump House, Sangam Colony, Dighaghat, P.s.- Digha, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranvijay Narain Singh, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-09-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Digha P.S.Case no.291 of 2023 registered for the offence punishable under sections 420, 406, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he had given Rs.4.5 lakhs by cheque and Rs.17 lakhs by cash to the petitioner. The total amount of Rs. 21.5 lakhs was not returned. As such the instant case.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in a matter



of pure civil dispute. So far as the amount of Rs.17 lakhs which the informant claims to have given in cash is concerned, the same is categorically denied. With respect to the remaining amount it is stated that transactions from much before was going between the parties and a sum of Rs.18.68 lakhs has been transferred in between 1.9.2019 and 26.5.2022 from the account of the petitioner to the account of wife of the informant. It is thus submitted that so far as filing of the instant case is concerned, the same besides being civil in nature is an abuse of the process of the Court. The petitioner undertakes to cooperate in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against the petitioner of having cheated the informant of Rs. 21.5 lakhs. So far as the transactions mentioned in paragraph no.15 of the petition is concerned, the same would show that the same starts from the date 1.9.2019 ie much prior to the occurrence. In fact the same confirms the allegations levelled.

6. Having heard learned counsel for the parties and having perused the material on record, from perusal of the



contents of the petition and specially paragraph no.15 thereof what is not denied on behalf of the informant is that there have been transactions going on between the petitioner and the informant and the members of his family. The same would be evident from as many as 102 transactions having taken place between 1.9.2019 and 26.5.2022. As against the allegation of 4.5 lakhs said to have transferred to the petitioner's account through cheque etc. is concerned, it is the petitioners claim of having transferred Rs.18.68 lakhs (approx) till 26.5.2022 in the account of the informant's wife.

7. In the facts of the case and taking into consideration the submissions made and the contents of the petition, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Digha P.S. Case no.291 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Patna.

(Partha Sarthy, J)

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